

104TH CONGRESS
2D SESSION

S. 1507

AMENDMENT

In the House of Representatives, U. S.,

September 17, 1996.

Resolved, That the bill from the Senate (S. 1507) entitled “An Act to provide for the extension of the Parole Commission to oversee cases of prisoners sentenced under prior law, to reduce the size of the Parole Commission, and for other purposes”, do pass with the following

AMENDMENT:

Strike out all after the enacting clause, and insert:

1 ***SECTION 1. SHORT TITLE.***

2 *This Act may be cited as the “Parole Commission*
3 *Phaseout Act of 1996”.*

1 **Sec. 2. EXTENSION OF PAROLE COMMISSION.**

2 (a) *IN GENERAL.*—For purposes of section 235(b) of
3 the Sentencing Reform Act of 1984 (98 Stat. 2032) as it
4 related to chapter 311 of title 18, United States Code, and
5 the Parole Commission, each reference in such section to
6 “ten years” or “ten-year period” shall be deemed to be a
7 reference to “fifteen years” or “fifteen-year period”, respec-
8 tively.

9 (b) *POWERS AND DUTIES OF PAROLE COMMISSION.*—
10 Notwithstanding section 4203 of title 18, United States
11 Code, the United States Parole Commission may perform
12 its functions with any quorum of Commissioners, or Com-
13 missioner, as the Commission may prescribe by regulation.

14 (c) *REDUCTION IN SIZE.*—

15 (1) *Effective December 31, 1999, the total num-*
16 *ber of Commissioners of the United States Parole*
17 *Commission shall not be greater than 2. To the extent*
18 *necessary to achieve this reduction, the Commissioner*
19 *or Commissioners least senior in service shall cease to*
20 *hold office.*

21 (2) *Effective December 31, 2001, the United*
22 *States Parole Commission shall consist only of that*
23 *Commissioner who is the Chairman of the Commis-*
24 *sion.*

25 (3) *Effective when the Commission consists of*
26 *only one Commissioner—*

1 (A) that Commissioner (or in the Commis-
 2 sioner's absence, the Attorney General) may dele-
 3 gate to one or more hearing examiners the pow-
 4 ers set forth in paragraphs (1) through (4) of sec-
 5 tion 4203(b) of title 18, United States Code; and

6 (B) decisions made pursuant to such delega-
 7 tion shall take effect when made, but shall be
 8 subject to review and modification by the Com-
 9 missioner.

10 **SEC. 3. REPORTS BY THE ATTORNEY GENERAL.**

11 (a) *IN GENERAL.*—Beginning in the year 1998, the At-
 12 torney General shall report to the Congress not later than
 13 May 1 of each year through the year 2002 on the status
 14 of the United States Parole Commission. Unless the Attor-
 15 ney General, in such report, certifies that the continuation
 16 of the Commission is the most effective and cost-efficient
 17 manner for carrying out the Commission's functions, the
 18 Attorney General shall include in such report an alternative
 19 plan for a transfer of the Commission's functions to another
 20 entity.

21 (b) *TRANSFER WITHIN THE DEPARTMENT OF JUS-*
 22 *TICE.*—

23 (1) *EFFECT OF PLAN.*—If the Attorney General
 24 includes such a plan in the report, and that plan pro-
 25 vides for the transfer of the Commission's functions

1 *and powers to another entity within the Department*
 2 *of Justice, such plan shall take effect according to its*
 3 *terms on November 1 of that year in which the report*
 4 *is made, unless Congress by law provides otherwise.*
 5 *In the event such plan takes effect, all laws pertaining*
 6 *to the authority and jurisdiction of the Commission*
 7 *with respect to individual offenders shall remain in*
 8 *effect notwithstanding the expiration of the period*
 9 *specified in section 2 of this Act.*

10 (2) *CONDITIONAL REPEAL.—Effective on the date*
 11 *such plan takes effect, paragraphs (3) and (4) of sec-*
 12 *tion 235(b) of the Sentencing Reform Act of 1984 (98*
 13 *Stat. 2032) are repealed.*

14 **SEC. 4. REPEAL.**

15 *Section 235(b)(2) of the Sentencing Reform Act of*
 16 *1984 (98 Stat. 2032) is repealed.*

Attest:

Clerk.